



Community-based VCT at THP Practice Sites in KZN

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PEPFAR Project:

Biomedical and Traditional Healing Collaboration on
HIV/AIDS

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THP Prevention Counseling (1)

On the understanding and role of traditional healers

- 1. It is true that Human Immunodeficiency virus exists
- 2. Traditional healers have a responsibility to raise community awareness as to the danger posed by this virus



THP Prevention Counseling (2)

☀ On appropriate sexual behaviour and reducing personal risk

- 1. Be proud of your virginity by not engaging in premature sexual activities
- 2. Remain faithful to the partner you are married to
- 3. Use every protection you need to prevent blood to blood, and body fluid encounters



THP Prevention Counseling (3)

☀ On reducing vulnerability due to poverty

- 1. Be proud of yourself and not allow your sexuality to be used cheaply because of lack of financial resources
- 2. Lets assist each other to find a reasonable employment and other community upliftment opportunities to keep you out of staying at home with no responsibility
- 3. Avoid associating with people using drugs instead be part of sports
- 4. Find support groups when in abusive relationships
- 5. Let us protect our children from being raped by criminals as raping a child is not a cure for AIDS



THP VCT -- The Legal Framework (1)

★ Traditional Health Practitioners Act

- ★ Passed by Parliament, signed by President Mbeki
- ★ Regulations not yet issued so not implemented
- ★ Establishes Interim THP Council which would regulate practice including VCT
- ★ Act itself is silent on issue of THPs and VCT
- ★ Act DOES NOT prohibit THPs from treating AIDS, Cancer etc. (misreading of offenses section on THPs NOT registered with the Council)



THP VCT -- The Legal Framework (2)

☀ New Health Act

- ☀ Passed by Parliament
- ☀ Regulations under development, not issued, Act not yet implemented
- ☀ Act itself silent on THP practices
- ☀ Section on Tissue will replace current Human Tissue Act (1983)



THP VCT -- The Legal Framework (3)

Current National Policy for Testing for HIV

(Government Gazette No.1479, 10 December 1999)
silent on the issue of who does VCT

- ★ **New Draft** “The national policy on voluntary counseling and testing (VCT) for HIV and AIDS in South Africa” (Sept. 2004):
- ★ “[VCT] will be provided independently and/or jointly with private sector organizations, non-governmental organizations (NGO’s) and community-based organizations.” (pp7-8).



THP VCT -- The Legal Framework (4)

- ★ With regard to the delivery of VCT in “non-medical settings” the policy document states:

“Close integration of VCT in community-based and non-medical centres with other prevention, care and support services must be carefully planned and implemented if non-medical VCT services are to offer effective and comprehensive services to individuals.”
(p.9).



THP VCT -- The Legal Framework (5)

- ★ “Only professionals registered with the South African Health Professional Councils are eligible to conduct HIV testing.” (p.13)
- ★ The Health Professions Council
- ★ The Nursing Council
- ★ The Allied Health Professions Council
- ★ The Interim Traditional Health Practitioners Council of South Africa



THP VCT -- The Legal Framework (6)

- ★ KZN: Traditional healers registered with the KZN Traditional Healers Council are automatically registered with the new Interim THPCSA
- ★ THPs in KZN governed by the **KwaZulu Act on the Code of Zulu Law, 1985**. The 1891 Code of Zulu Law governs and protects the right of a registered traditional healer to practice, and this practice has been (recently) held by the courts to include surgery and medical treatment -- would cover VCT.
- ★ Curiously, given the absence of similar provincial legislation in other provinces, in the current legal climate only KZN THPs can legally practice



THP VCT -- The Legal Framework (7)

- ✱ The Human Tissue Act, 1983
- ✱ Act is silent on VCT (rapid tests did not exist at the time)
- ✱ Only medical practitioners, dentists and persons acting under their supervision may remove and transplant tissue, withdraw blood or administer blood or a blood product for the purposes of the Act (section 23).
- ✱ Question whether rapid pin-prick diagnostic blood test constitutes “withdrawal” of blood from a “living donor” -- was this the intention of the Act?
- ✱ Are THPs now “medical practitioners” along with nurses, Ayurvedic and Chinese doctors etc (Health Council members) ?
- ✱ Regulations?





Our Greatest Challenge

HIV/AIDS (Steve Smith's slide)



THANK YOU

Enhancing Quality of Care
Meeting, February 14-16, 2006
Kopanong Hotel, Johannesburg

